(b) whether it is also a fact that since independence, all the British framed laws/rules, etc. are enforced even today, and there has been no amendment/replacement thereof;

(c) whether it is also a fact that due to such laws and rules, etc., the common man is being harassed by Government officials; and

(d) if so, whether there is a proposal under active consideration to set up an Expert Committee to replace the old laws and introduce the new ones, *i.e.* our own?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) No, Sir.

(b) Review of all laws, including those enacted during the British era, with a view to bring them in harmony with the current economic and social development in the country is a continuous process. This task is undertaken by various Ministries/Departments of the Central Government administering the respective laws. The Law Commission of India also undertakes, from time to time, the study of such laws which may help in achieving the above objectives.

(c) and (d) In 1998, the Government set up a Committee on Review of Administrative Laws (known as the P.C. Jain Commission) with the objective of examining the need of amendments in the repeal of old/obsolete laws, among others. The salient features of the recommendations of the said Committee included, among others, amendment of laws/rules, review of Acts of critical importance and repeal of dysfunctional/irrelevant laws. The implementation of the report submitted by the said Committee has been undertaken by the respective Ministries/Departments and is being monitored by the Department of Administrative Reforms and Public Grievances of the Central Government. The Government has also taken steps to bring justice at the doorsteps of the rural masses by setting up of Gram Nyayalayas.

Strength of judges and infrastructure facilities in courts

4061. SHRIMATI SHOBHANA BHARTIA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Chief Justice of India has recently urged Government to increase the strength of judges in the country, to cope with the needs and demands;

(b) if so, the reaction of Government in this regard;

(c) whether several High Courts in the country are not equipped with proper infrastructure facilities, resulting into backlog of cases; and

(d) if so, the steps taken by Government to increase the strength of judges in various courts and to ensure availability of proper infrastructure facilities?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) to (d) The Chief Justice of India, while speaking at the official functions organized by different bodies, has urged the Government to increase the strength of Judges in the country to cope with the needs of the judiciary.

The Judge strength of the High Courts was reviewed during 2006 and 2007 and with the consent of Chief Justice of India, a total of 152 additional posts of Judges in various High Courts have been approved. Government has also introduced the Supreme Court (Number of Judges) Amendment Bill, 2008 in the Lok Sabha on 29.4.2008 for augmenting the judge strength of the Supreme Court from the present 25 Judges to 30 Judges excluding the Chief Justice of India.

Under Article 235 of the Constitution of India, the administrative control over the Members of the subordinate judiciary in the States vests with the concerned High Court and the State Government. As such, creation of posts in subordinate judiciary is the concern of the State Government.

Providing infrastructural facilities to the High Courts is the responsibility of the concerned State Governments. However, to augment the resources of the State Governments, the Central Government is implementing a scheme for the development of infrastructure facilities for the judiciary which includes construction of court buildings and residential accommodation for judicial officers/judges. A scheme for comprehensive computerization of the District and Subordinate Courts based on the National Policy and Action Plan prepared by the E-Committee is also currently under implementation.

Fast track disposal of criminal cases

4062. SHRI GIREESH KUMAR SANGHI: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Supreme Court has asked the Ministry to find out whether trial in all criminal cases, pending for more than five years, could be fast tracked;

(b) whether the Court has also pointed out that if this proposal is accepted, it could potentially revolutionize the criminal justice system;

(c) whether the judicial system is presently clogged by rapid increase in the number of criminal cases, without any corresponding increase in the number of trial courts, to handle the deluge; and

(d) whether the Ministry has considered the proposal and a final decision has been taken?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) and (b) The Supreme Court of India in Transfer Case (Civil) No. 22/2001, Brij Mohan Lal *vs.* Union of India & Others, that *inter-alia*, deals with matters relating to Fast Track Courts which have been constituted for disposal of long pending sessions cases, has in its Order dated 20.11.2007 mentioned as follows:

"Having heard Mr. Narasimha, learned amicus curiae and the learned Solicitor General of India, we are of the opinion that the charts, supplied by the former, may be considered the basis by the Law Ministry for arriving at a decision in regard to the transfer of cases from criminal to civil, and in particular, the cases which are more than 5 years old, for disposal by the Fast Track Courts....."

(c) There is an increase in the number of criminal cases in the court, Government has taken various measures for facilitating expeditious disposal of criminal cases which include setting up of Fast Track courts, amendments to Criminal Procedure Code and Computerisation of Courts. The Gram Nyayalayas Bill, 2007 was also introduced to enable setting-up of more trial courts in the country at the intermediate Panchayat level.

(d) Government is examining the matter.

Separation of functions of organs of democracy

4063. SHRIMATI SYEDA ANWARA TAIMUR: Will the Minister of LAW AND JUSTICE be pleased to state: